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DEC 11 2007

BEFORE THE ARIZONA POWER PL

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AND TRANSMISSION LINE SITING COMMITTEE

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2007 DEC 11 P 2:48

IN THE MATTER OF THE APPLICATION OF CASE NO. 133
NORTHERN ARIZONA ENERGY, LLC FOR A CONTROL
CERTIFICATE OF CONVENIENCE AND
NECESSITY AUTHORIZING
CONSTRUCTION OF A 175 MW NATURAL
GAS-FIRED SIMPLE CYCLE GENERATING
FACILITY AND ASSOCIATED
TRANSMISSION LINE TO THE WESTERN
AREA POWER ADMINISTRATION
("WAPA") GRIFFITH SWITCHYARD.

DOCKET NO. L-00000FF-07-0134-00133

**STAFF'S COMMENTS ON THE SAMPLE
FORMS OF ORDERS**

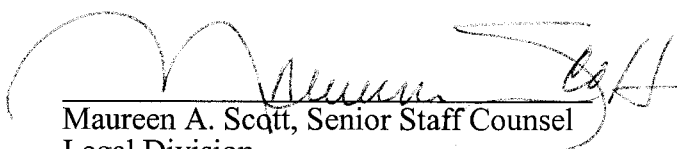
Pursuant to A.R.S. Section 40-360.07, the Commission has the authority to confirm, deny or modify a Certificate of Environmental Compatibility ("CEC") issued by the Siting Committee. On December 5, 2007, the Commission's Legal Division submitted sample forms of order for the Commission's convenience when considering the Siting Committee's decision in the above-captioned matter. One sample order approves the Siting Committee's decision as it was issued by the Siting Committee. The second sample order is in a format for Commission modifications to the Siting Committee's decision. The third sample order is in a format denying the Siting Committee's decision.

Staff respectfully requests that given the unique circumstances in this case, the Commission include a provision in its Order reaffirming the Committee's finding regarding the remote possibility of the Liberty Phase Shifter operating Northbound coincident with either of the N-1 contingencies and recognizing that as such Staff does not believe it is a variance from its guidelines with respect to the use of Remedial Action Schemes ("RAS"). In Paragraph 6 of its draft CEC Staff had included language regarding the extreme remote possibility of the two N-1 contingencies. The Staff believes the language is important and should be included in the Commission's Order on this matter. The language is as follows: "Staff does not consider the use of a RAS in this case to be a variance from the Staff guidelines because of the extreme remoteness of the possibility of occurrence of the Liberty Phase Shifter moving power in the Northbound direction coincident with either of the two N-1 contingencies."

1 During the deliberations on this matter, there was a provision in the Staff's proposed CEC that
2 reaffirmed the Committee's finding and Staff's position that this not be considered a variance from
3 Staff's guidelines. Some Committee members expressed their belief that such a provision would be
4 more appropriately included in the Commission's Order on this matter rather than in the CEC issued
5 by the Committee.

6 Staff recommends that if either Sample Order Form 1 (Granting the CEC as Issued by the
7 Siting Committee) or Sample Order Form 2 (Approving CEC but Modifying CEC as Issued by the
8 Siting Committee by Adding/Changing Conditions to the CEC) are utilized by the Commission, that
9 the Commission modify them to include the above statement which reaffirms the findings of the
10 Committee in this regard and Staff's position that this does not constitute a variance from Staff
11 guidelines on the use of RAS for N-1 contingencies.

12 RESPECTFULLY SUBMITTED this 11th day of December 2007.
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20 Original and Twenty-Eight (28) copies
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September 2007 with:

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26 this 11th day of December 2007 to:

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2 this 11th day of December 2007 to:

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